

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

STEVEN HOLT et al.,

Plaintiffs,

v.

**URBAN LEAGUE OF PORTLAND, INC.
et al.,**

Defendants.

No. 3:22-cv-00837-YY

OPINION AND ORDER

MOSMAN, J.,

On February 17, 2023, Magistrate Judge Youlee Yim You issued her Findings and Recommendation (“F&R”) [ECF 66] recommending that I grant Defendants National Urban League, Inc., Marc Morial, and Tina Pizzimenti’s Motion to Dismiss [ECF 55]. No objections were filed. Upon review, I agree with Judge You. I GRANT Defendants’ Motion to Dismiss.

DISCUSSION

The magistrate judge makes only recommendations to the court, to which any party may file written objections. The court is not bound by the recommendations of the magistrate judge but retains responsibility for making the final determination. The court is generally required to make a de novo determination regarding those portions of the report or specified findings or recommendation as to which an objection is made. 28 U.S.C. § 636(b)(1)(C). However, the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the F&R to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th

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Cir. 2003). While the level of scrutiny under which I am required to review the F&R depends on whether or not objections have been filed, in either case, I am free to accept, reject, or modify any part of the F&R. 28 U.S.C. § 636(b)(1)(C).

CONCLUSION

Upon review, I agree with Judge You's recommendation, and I ADOPT the F&R [ECF 66] as my own opinion. The Motion to Dismiss [ECF 55] is GRANTED.

IT IS SO ORDERED.

DATED this 9th day of March, 2023.


MICHAEL W. MOSMAN
Senior United States District Judge